

(a) a binder resin comprised of at least one polyolefin resin having a cyclic structure, wherein the polyolefin resin having a cyclic structure comprises:

- (i) a first resin or a first resin fraction with a number average molecular weight (M_n), as measured by GPC, of less than 7,500, and
- (ii) a second resin or a second resin fraction with a number average molecular weight (M_n) of 7,500 or more, M_w of 15,000 or more, and an intrinsic viscosity of 0.25dl/g or more;

(b) a colorant;

(c) a function imparting agent; and

(d) a charge control agent and

wherein said first resin or said first resin fraction and said second resin or said second resin fraction must be present and said second resin or second resin fraction is contained in a proportion of less than 50% by weight based on the entire binder resin.

38. The toner for developing an electrostatically charged image as claimed in claim 35, wherein the polyolefin resin having a cyclic structure has at least one polar functional group selected from the group consisting of a carboxyl group, a hydroxyl group and an amino group.

39. The toner for developing an electrostatically charged image as claimed in claim 35, wherein the polyolefin resin having a cyclic structure comprising a carboxyl groups introduced therein having uniformly dispersed therein fine particles of a metal thereby forming an ionomer having crosslinked structure.

40. The toner for developing an electrostatically charged image as claimed in claim 38, wherein the polyolefin resin having a cyclic structure comprising a carboxyl groups introduced therein having uniformly dispersed therein fine particles of a metal thereby forming an ionomer having crosslinked structure.

42. The toner for developing an electrostatically charged image as claimed in claim 41, wherein the polyolefin resin having a cyclic structure has a structure crosslinked by a diene, ester, amide, sulfide or ether wherein the crosslinked structure is obtained by the reaction of

(a) a diene monomer

with (b) an acyclic olefin and (c) a cycloolefin.

48. A toner for developing an electrostatically charged image, the toner comprising

(a) a binder resin comprised of at least one polyolefin resin having a cyclic structure comprising at least three different resins or resin fractions having molecular weight ranges expressed by number average molecular weight (Mn), as measured by GPC,

(i) of less than 7500 which is a first resin or first resin fraction,

(ii) 7500 or more but less than 25,000, Mw of 15,000 or more, and an intrinsic viscosity of 0.25dl/g or more which is a second resin or second resin fraction, and

(iii) 25,000 or more, Mw of 15,000 or more, and an intrinsic viscosity of 0.25dl/g or more which is also part of the second resin or the second resin fraction,

and wherein said first resin or said first resin fraction and said second resin or said second resin fraction must be present and said second resin or second resin

fraction is contained in a proportion of less than 50% by weight based on the entire binder resin,

- (b) a colorant;
- (c) a function imparting agent; and
- (d) a charge control agent.

49. A toner for developing an electrostatically charged image, the toner comprising:
- (a) a binder resin comprised of at least one polyolefin resin having a cyclic structure, wherein the polyolefin resin having a cyclic structure comprises:
 - (i) a first resin or a first resin fraction with a number average molecular weight (M_n), as measured by GPC, of less than 7,500, and
 - optionally (ii) a second resin or a second resin fraction with a number average molecular weight (M_n) of 7,500 or more, M_w of 15,000 or more, and an intrinsic viscosity of 0.25dl/g or more;
 - (b) a colorant;
 - (c) a function imparting agent; and
 - (d) a charge control agent,
- wherein said second resin or said second resin fraction is contained in a proportion of less than 50% by weight based on the entire binder resin.

51. The toner for developing an electrostatically charged image as claimed in claim 50, wherein the acyclic olefin is present and is an alpha-olefin selected from the group consisting of ethylene, propylene and butylene.

55. The toner as claimed in claim 35, wherein said second resin or said second resin fraction is present in amount from 7.4% to less than 50% by weight based on the entire binder resin.

See Appendix 2 for the changes to the claims. The terms bracketed were canceled from the claims and the terms underlined were added to the claims.

Please add the following new claim:

- -58. The toner for developing an electrostatically charged image as claimed in claim 35, wherein the binder resin consists of 1 to 100 parts by weight of the polyolefin resin having a cyclic structure, and 99 to 0 parts by weight of a resin selected from the group consisting of

- (a) a polyester resin,
- (b) an epoxy resin,
- (c) a polyolefin resin,
- (d) a vinyl acetate resin,
- (e) a vinyl acetate copolymer resin,
- (f) an acrylate resin,
- (g) a styrene-acrylate resin and
- (h) mixtures of (a) -(g). - -

REMARKS

The applicants respectfully request reconsideration in view of the amendment and the following remarks. The applicants have amended the claims and specification as suggested by the Examiner in order to overcome the 35 USC §112 rejections. The